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6 UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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9 IN RE: BEXTRA AND CELEBREX
10 MARKETING AND SALES PRACTICES
11 AND PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699

Judge Charles R. Breyer

12 This document relates to:

13 **BETTY ESCUEDERO, on Behalf of the**
14 **Estate of MARIA E. AVENDANO, et al.,**

CASE NO. 06CV5204

15 **Plaintiff,**

16 **v.**

17 **PFIZER, INC.,**

18 **Defendant.**
19

20 **STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE**
21

22 **IT IS HEREBY STIPULATED AND AGREED** by and between counsels for the
23 Plaintiff and counsel for the Defendant that the Complaint of Plaintiff Betty Escudero on Behalf
24 of the Estate of Maria E. Avendano, only, part of Case No. 06CV5204, is hereby dismissed
25 without prejudice:
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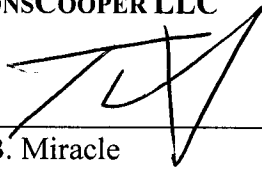
27 1. Plaintiff is Betty Escudero, on Behalf of the Estate of Maria E. Avendano;
28 Defendant is Pfizer, Inc.;

2. On August 24, 2006, Plaintiff sued Defendant;
3. Plaintiff moves to dismiss only her claims against Defendant;
4. Defendant has not answered these claims;
5. This case is not a class action;
6. A receiver has not been appointed to this action;
7. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.
8. Should Plaintiff or a representative of Plaintiff attempt to refile her claims against Defendant, they shall do so only by filing in Federal Court..

Respectfully submitted:

Dated: August 30, 2006

SIMMONSCOOPER LLC



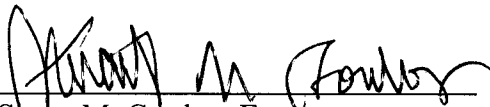
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GORDON & REES

Dated: ~~Sept~~ 5, 2006


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Defendant's Liaison Counsel

**PURSUANT TO STIPULATION, IT IS SO ORDERED THAT PLAINTIFFS' DUELL
and DONNA NICHOLAS' CLAIMS ARE DISMISSED.**

Dated: September 8, 2006

THE HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT

